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ABSTRACT

The purpose of this paper was to discuss education and accreditation issues with respect to diversity in sexual orientation. The different levels of analyses are approached from the more general to the more specific, ending with a discussion of accreditation issues in psychology. Information pertains to the United States, and includes some information on Canada as well. Topics discussed include legislation and public policy, experiences in university communities, and accreditation and graduate education issues. The paper concludes with author comments concerning the American and Canadian Psychological Associations' position statements on sexual orientation. (ADT)

Sexual Orientation, Graduate Education, and Accreditation

by
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Sexual Orientation, Graduate Education, and Accreditation

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The purpose of this paper will be to discuss education and accreditation issues with respect to diversity in sexual orientation. This topic can be approached from many levels, and I will address these levels of analysis from the more general to the more specific, ending with a discussion of accreditation issues in psychology. Being a U.S. psychologist, I am much better informed about the situation in the U.S., but I do have some information about Canada that I would like to include. In fact, it has been very instructive to learn about the Canadian perspective; this has given me a lens through which to reflect on U.S. circumstances. For the purposes of this talk, I will use the terms minority sexual and LGB (lesbian/gay/bisexual) status interchangeably, though sexual minority status can include an array of other self definitions, including transgender, transsexual, and two-spirited persons.

Legislation and Public Policy

I would like to start with a discussion of legislation and public policy in the U.S. and Canada, since these will affect institutional policies and campus climate, as well as the cultural and legal environment, for LGB persons. In the U.S. there is no national legislation protecting LGB persons against

discrimination. As of Summer 2001, 11 states and the District of Columbia had passed basic civil rights measures that prohibit discrimination based on sexual orientation ("State assaults on lesbian and gay community," 2001). Thus, barely one-fourth of U.S. states have legislation protecting sexual minorities from discrimination. On the other hand, 16 states, as of Summer 2001, still had sodomy laws on the books. Although most of these sodomy statutes apply to both homosexual and heterosexual partners, a few focus only on same-sex partners ("State assaults on lesbian and gay community," 2001). Further, although these laws are not often enforced, when they are they are disproportionately applied to gay men (King, 1999).

In recent years there have been attempts to pass LGB rights legislation in some U.S. states and cities. This has led to some backlash, mostly from conservative religious groups. These conservative groups have both proposed legislation to block any LGB anti-discrimination measures and have also attempted to undo existing legislation or orders. According to the National NOW Times, a publication of the U.S. organization the National Organization for Women, hundreds of such hostile bills have been introduced during 2001 alone ("State assaults on lesbian and gay community," 2001). Groups proposing such legislation have also tried to influence school boards and have attacked tolerance and diversity training curriculums in the public schools.

In Canada, discrimination on the basis of sexual orientation is not allowed under federal human rights legislation. In 1969, Canada passed Bill C-150, which

decriminalized homosexual sex, and in 1996 the federal government amended the Human Rights Act to prohibit discrimination against gays and lesbians (Rabson, 1998). Most, but not all provinces, have added sexual orientation to their Human Rights Codes. As of 1998, all but 3 of 12 Canadian provinces and territories had barred discrimination at the provincial level (Rabson, 1998). Thus, as of 1998 three-fourths of Canadian provinces had civil rights legislation for gays and lesbians. In 1992 the Canadian military acted to allow openly gay men and women to join the forces. In the U.S. the Department of Defense still holds to the position that gays and lesbians are not welcome in the military; gay men and lesbians are subject to discharge if they divulge their homosexual orientation. Thus, there are significant differences between the U.S. and Canada with respect to legislation; the U.S. has no federal civil rights legislation protecting sexual minorities, but Canada does. Fully three-fourths of Canadian provinces have such legislation, while barely one-fourth of U.S. states do. And Canada, but not the U.S., allows openly gay men and lesbians to enlist in the military. In fact, Canada is probably ahead of many countries in terms of gay rights legislation, since few countries around the world have laws protecting LGB persons from discrimination written into their constitutions. (As of 1998 only South Africa, the Netherlands, and Canada had constitutional guarantees for LGB persons; Rabson, 1998).

Experiences in University Communities

Experiences of students, staff and faculty obviously vary a great deal from one individual to another and from one institution to another. In the U.S. educational institutions run the gamut from public to private, small to large, and liberal to conservative. In Canada, the large majority of institutions are public, though there are a few private institutions, some which have appear to have a religious orientation (e.g., St. Andrew's Colleges in Manitoba and Saskatchewan, Trinity Western University in British Columbia).

In U.S. educational institutions there are widely discrepant climates for LGB persons. Many large public institutions are fairly liberal and, by virtue of their size, foster a "live and let live" spirit to a greater extent than do smaller institutions. Generally, at smaller institutions, LGB individuals cannot be as anonymous as they might be at larger institutions, and they may have more difficulties finding informal support groups at smaller institutions. Many institutions, both large and small, have associations or programs that provide a means for LGB persons to come together for social events, as well as for educational activities and campus activism.

However, the extent to which the climate will be welcoming or even tolerant at a specific institution is determined by many factors, for instance, whether the institution is in a liberal or conservative part of the country, or whether or not the institution adheres to a conservative religious ideology which defines homosexuality as unacceptable. There are some institutions in the U.S.

that are fairly explicit about this. For instance, one private religious institution in the U.S. expelled two undergraduate male students in the Spring of 2001 for having violated the university's honor code; that code lists "homosexual conduct" among other prohibitions under the heading "sexual conduct" (Stewart, 2001).

Some U.S. educational institutions explicitly forbid discrimination on the basis of sexual orientation. For instance, my institution, Pacific University, includes sexual orientation in its affirmative action statement and, thus, technically is not supposed to discriminate in hiring or admission practices. And my institution, like many others, does provide health benefits to partners of LGB persons.

In Canada, the climate at individual educational institutions is predicated on many of the same factors that influence climate at U.S. institutions, for instance, whether the institution is in a more liberal or conservative, urban or rural, environment. Also, some institutions are more welcoming or affirming than other institutions and have visible and well functioning equity offices or something such as Gay Pride offices or programs. Canada appears to have far fewer private or religious institutions than the U.S., and there may thus be fewer institutions that have policies that are not welcoming or affirming of sexual minorities within Canada.

The existence of constitutional protection in Canada and its absence in the U.S. does influence the climate for sexual minority persons and the context out of

which policies and practices emerge. This does make for differences at the level of educational institutions. To illustrate, let me read an excerpt from a report out of the University of Victoria:

Discrimination on the basis of sexual orientation is not allowed under human rights legislation. Therefore EWG [Equity Working Group] members wanted to know whether there was evidence of discrimination against glbtq people to warrant affirmative action hiring practices. The standards to restrict hiring are stringent. In order to restrict hiring, there must be a case of proven systemic discrimination that prevents a class of people from achieving success enjoyed by the average person in society. Not knowing what evidence had been previously documented EWG members asked for an investigation into what was known about discrimination against glbtq people in academic settings in Canada. (Committee on the Status of Sexual Minorities, 2000, p. 2)

Notice the way that this issue is framed: there is an expectation that there will not be or has not been discrimination on the basis of sexual orientation. Thus, in undertaking a study of whether there should be affirmative action in hiring in Canada, one must demonstrate proven systemic discrimination. I suggest that this indicates the presence of a different ethic in Canada. That is, whereas in the U.S. the need for protection against discrimination is assumed, in Canada, it is assumed that discrimination has not occurred. This does not mean that sexual minority persons are not subjected to harassment in Canada. In fact, I have read reports out of Canada indicating that such persons there are subjected to the same problems faced by U.S. sexual minorities: discrimination with respect to employment and housing, harassment and ostracism, and hate crimes. I have not seen any straight across comparisons of the incidence of these problems across our two countries, but the existence of federal and provincial legislation in all

likelihood provides better recourse for clear-cut cases of discrimination in Canada than in the U.S.

Accreditation and Graduate Education Issues

The accreditation standards of the American Psychological Association call on training programs to recognize the importance of cultural and individual differences in training. There are two components to this standard. Programs are expected to 1) attract and retain students or interns and faculty from differing ethnic, racial, and personal backgrounds; and 2) implement a coherent plan to provide students or interns with relevant knowledge and experiences about the role of diversity.

The second component of this standard addresses curriculum and training. With respect to sexual orientation, it is important that students and interns gain some basic understanding of LGB persons in order to provide appropriate clinical services to them. Given that some research has noted biased treatment of LGB persons by psychologists, it is important to provide sound training in graduate education about sexual orientation so that LGB persons can obtain appropriate and affirmative clinical services.

The other component of the accreditation standard calls on programs to ensure a supportive and encouraging learning environment for the training of diverse individuals and also directs programs to avoid restricting program access on grounds that are irrelevant to success in training or a career in professional psychology. Since sexual orientation could be deemed one variable

"irrelevant to success" it stands to reason that persons should not be excluded from training programs on the basis of sexual orientation. However, there is a footnote to this statement (APA, footnote 4, p. 15) which reads, in part: "This requirement does not exclude programs from having a religious affiliation or purpose and adopting and applying admission and employment policies that directly relate to this affiliation or purpose." This clause and its qualifiers are open to interpretation, but many contend that it allows religious institutions to deny training to GLB persons if they consider a homosexual orientation counter to their religious views. The APA Committee on Accreditation has recommended deletion of this footnote, and this proposal is now out for public comment. It is expected that this comment will provide information about the training as well as legal ramifications of maintaining versus deleting this footnote. Since the public comment period is still open I cannot now provide any information about the comments that have been submitted. But this is a controversial issue, for it pits antidiscrimination forces against freedom of religion proponents.

I would like to conclude by commenting on positions that have been taken by the American and Canadian Psychological Associations with respect to sexual orientation. The Canadian Psychological Association endorsed a statement of nondiscrimination on the basis of sexual orientation in 1982. This clause reads that there should be "no discrimination on the basis of sexual orientation in the education of graduate students with respect to: a)recruitment of graduate students; b)acceptance of students into graduate programmes; [or]

c) recommendation of students for scholarships, fellowships, loans, teaching assistantships, and research assistantship" (Canadian Psychological Association, p. 2). The American Psychological Association has also taken a clear position with respect to civil rights and nondiscrimination on the basis of sexual orientation, affirming its position in a statement adopted by the Council of Representatives in 1998. An APA task force also published "Guidelines for psychotherapy with lesbian, gay, and bisexual clients" in a recent issue of the *American Psychologist* (Division 44, 2000). One conclusion of this report is that despite the recent addition of diversity training during graduate education and internship, graduate students often report inadequate education and training for working with lesbian, gay, and bisexual clients. It is clearly the case in the U.S. we have more work to do with respect to affirmation of sexual minority status and training for addressing the needs of LGB clients within our graduate psychology programs.

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